

*James L. Robert*  
HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED CAPITAL FUNDING  
CORPORATION,

Plaintiff,

vs.  
ERICSSON, INC.,

Defendants.

ERICSSON, INC.,

Third-Party Plaintiff,

vs.  
KYKO GLOBAL, INC.,

Third-Party Defendant.

NO. 2:15-cv-00194-JCC

**JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSEDEAS BOND**

**NOTE FOR MOTION CALENDAR:  
APRIL 4, 2018**

JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSEDEAS BOND -1  
No. 2:15-cv-00194-JCC

*JLR*  
GORDON REES SCULLY  
MANSUKHANI, LLP  
701 5th Avenue, Suite 2100  
Seattle, WA 98104  
Telephone: (206) 695-5100  
Facsimile: (206) 689-2822

1 Plaintiff United Capital Funding Corp. ("United") and Defendant Ericsson Inc.  
2 ("Ericsson") (collectively, the "Parties"), by and through their undersigned counsel, hereby file  
3 this Stipulated Motion and Proposed Order Discharging Supersedeas Bond, and in support  
4 thereof state as follow:

5 On April 26, 2016, this Court entered an Order Granting Summary Judgment, Denying  
6 Motion for Reconsideration and Mooting Motion to Enlarge Discovery Deadline, ordering  
7 United to pay Ericsson the sum of \$46,907.20 (the "Final Order"). *See* Doc. No. 118.

8 On May 25, 2016, United filed a Notice of Appeal from the Final Order and said appeal  
9 was docketed as Appeal No. 16-35442 in the United States Court of Appeal for the Ninth Circuit.

10 On July 25, 2016, United posted Supersedeas Bond No. 910023, in the amount of  
11 \$250,000.00, executed by SureTec Insurance Company as surety (the "Supersedeas Bond"). *See*  
12 Doc. No. 126.

13 On March 29, 2018, the Ninth Circuit Court of Appeal issued its memorandum decision  
14 in the Appeal, reversing the Final Order in favor of United and remanding the matter to this  
15 Court for further proceedings.

16 The Parties hereby stipulate and agree that the Supersedeas Bond should be discharged,  
17 and by this Stipulation hereby request that the Court issue an Order discharging the Supersedeas  
18 Bond, and releasing United, as principal, and SureTec Insurance Company and its parents,  
19 affiliates and subsidiaries, as insurer, from any and all past, present and future liability in  
20 connection with the issuance of the Supersedeas Bond.

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26 JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSDEAS BOND -2  
No. 2:15-cv-00194-JCC

GORDON REES SCULLY  
MANSUKHANI, LLP  
701 5th Avenue, Suite 2100  
Seattle, WA 98104  
Telephone: (206) 695-5100  
Facsimile: (206) 689-2822

1 Respectfully submitted April 4, 2018.

2  
3 GORDON REES SCULLY  
MANSUKHANI, LLP

4 By: /s/ Sally S. Kim  
5 Sally S. Kim, WSBA 35289  
Allen W. Estes, III, WSBA 34526  
6 *Co-Counsel for United Capital Funding Corp*  
701 Fifth Avenue, Suite 2100  
Seattle, WA 98104  
[sallykim@grsm.com](mailto:sallykim@grsm.com)  
[aestes@grms.com](mailto:aestes@grms.com)

8  
9 DAVIS ROTHWELL EARLE & XOCHIHUA

10 By: /s/ Suzanne K. Pierce  
11 Suzanne K. Pierce, WSBA 22733  
Counsel for Ericsson Inc.  
12 701 5<sup>th</sup> Avenue, Suite 550  
Seattle, WA 98104  
[spierce@davisrothwell.com](mailto:spierce@davisrothwell.com)

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26 JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSEDEAS BOND -3  
No. 2:15-cv-00194-JCC

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MANSUKHANI, LLP  
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Seattle, WA 98104  
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Facsimile: (206) 689-2822

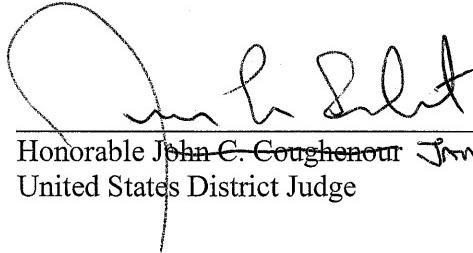
1                   **ORDER DISCHARGING SUPERSEDEAS BOND**

2                   Pursuant to and based upon the foregoing Joint Stipulated Motion of the Parties to  
3 discharge Supersedeas Bond No. 910023 in the amount of \$250,000.00, issued by SureTec  
4 Insurance Company, at the request of United Capital Funding Corp., as principal, to stay  
5 execution of the Court's Final Order entered in this action at Docket No. 118 pending resolution  
6 of Appeal No. 16-35442, the Court hereby **ORDERS AND ADJUDGES** that:

7                   1.       The Supersedeas Bond is hereby fully and unconditionally discharged, released  
8 and exonerated.

9                   2.       SureTec Insurance Company and its parents, affiliates and subsidiaries are hereby,  
10 effective immediately, released from any and all past, present or future liability in connection  
11 with the issuance of the Supersedeas Bond.

12                  Dated this 29 day of April, 2018.

  
Honorable John C. Coughenour James L. Robart  
United States District Judge

26                  JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSEDEAS BOND -4  
No. 2:15-cv-00194-JCC

GORDON REES SCULLY  
MANSUKHANI, LLP  
701 5th Avenue, Suite 2100  
Seattle, WA 98104  
Telephone: (206) 695-5100  
Facsimile: (206) 689-2822

## **CERTIFICATE OF SERVICE**

The undersigned declares under penalty of perjury under the laws of the State of Washington that on this date I electronically filed a true and accurate copy of the document to which this declaration is affixed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Michael W. Ullman  
Jared A. Ullman  
Ullman & Ullman, PA  
150 E. Palmetto Park Road, Suite 700  
Boca Raton, FL 33432  
Tel: (561) 338-3581  
[michael.ullman@uulaw.net](mailto:michael.ullman@uulaw.net)  
[jared.ullman@uulaw.net](mailto:jared.ullman@uulaw.net)

Suzanne K. Pierce  
Davis Rothwell Earle & Xochihua  
701 5<sup>th</sup> Avenue, Suite 5500  
Seattle, WA 98104  
Tel: (206) 622-2295  
[spierce@davisrothwell.com](mailto:spierce@davisrothwell.com)

James T. Yand  
Tara M. O'Hanlon  
Miller Nash Graham & Dunn LLP  
Pier 70  
2801 Alaskan Way, Suite 300  
Seattle, WA 98121  
Tel: (206) 624-8300  
[james.yand@millernash.com](mailto:james.yand@millernash.com)  
[tara.ohanlon@millernash.com](mailto:tara.ohanlon@millernash.com)

Dated: April 4, 2018

/s/ Francine M. Artero

Francine M. Artero, Legal Assistant  
[fartero@grsm.com](mailto:fartero@grsm.com)

JOINT STIPULATED MOTION AND  
[PROPOSED] ORDER DISCHARGING  
SUPERSEDEAS BOND -5  
No. 2:15-cv-00194-JCC

**GORDON REES SCULLY  
MANSUKHANI, LLP**  
701 5th Avenue, Suite 2100  
Seattle, WA 98104  
Telephone: (206) 695-5100  
Facsimile: (206) 689-2822